

County of Loudoun
Department of Planning
MEMORANDUM

DATE: August 8, 2006

TO: Mike Elabarger, Project Manager
Land Use Review

FROM: Pat Giglio, Planner
Community Planning

SUBJECT: ZMOD 2006-0010, Brambleton Fire and Rescue Station

BACKGROUND

Loudoun County Department of Fire and Rescue Services, the applicant, is requesting a Zoning Ordinance Modification (ZMOD) to encroach into the required building setback along Belmont Ridge Road (Route 659) and the future East-West Collector (Route 621 Relocated) at the site of their proposed 23,000 square foot fire-rescue station and law enforcement facility in Brambleton. The 5 acre, triangular shaped site is located in the southwest quadrant of the intersection of Belmont Ridge Road (Route 659) and the future East-West Collector (Route 621 Relocated). The subject site was proffered for a fire/rescue station as part of the original Concept Development Plan (ZMAP 1993-0005, ZCPA 1993-0007 and SPEX 1993-0017). The land to the north of the subject site has been approved for future residential development and the land to the east, west and south is approved for industrial park uses, office uses, and retail uses.

The subject site is zoned PD-IP (Planned Development- Industrial Park) and governed under the provisions of the Loudoun County Revised 1993 Zoning Ordinance. The subject site is located within the Airport Noise Impact Overlay District and impacted by the Ldn 60 noise contours of the Washington Dulles International Airport. Major and minor floodplain are present on the western boundary of the subject site, the entire site is presently forested.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The site is governed under the policies of the Revised General Plan, the Loudoun County Bicycle and Pedestrian Mobility Master Plan, and the Revised Countywide Transportation Plan (Revised CTP). The subject site is located in the Dulles Community within the Suburban Policy Area. The Revised General Plan designates this area for

Industrial uses (Revised General Plan, Planned Land Use Map, p. 7-23) and these uses are guided by the General Industrial policies of the Revised General Plan (p. 6-30 - 6-32).

ANALYSIS

A. LAND USE

The proffered subject site is located in an area designated for planned Industrial uses by the Plan. General industrial uses are “predominantly labor-intensive industrial and commercial uses” that may have outdoor storage requirements, generate noise levels, odors and emissions that make them incompatible with residential and other business uses (Revised General Plan, text, pp. 6-30 & 6-31). The County envisions that land area designated for General Industrial uses will accommodate the continued operation and expansion of major industrial uses important to the County’s economy. The proposed public safety facility while not as intensive as a traditional industrial use will provide outdoor maintenance/storage and training facilities for fire and rescue personnel, which are in keeping with industrial character envisioned for the area by the Plan.

Staff finds that the establishment and operation of the proposed public safety center on the proffered subject site is compatible with the Industrial planned land use of the area.

B. ZONING MODIFICATION

The County requires that all industrial uses provide sufficient buffering from nearby residential areas and business uses to ensure that the effects of noise, vibration, odor or other emissions do not exceed specified levels (Revised General Plan, Policy 2, p. 6-31). The proposed public safety center is located within a planned Industrial area designated by the Plan. The land south, east and west of the subject site is planned, zoned and approved for industrial office and retail uses; however nothing has been constructed to date. The land to the north of the subject site on opposite side of the future East-West Collector (Route 621 Relocated), known as the Graham/ Flynn/ Biggers tract is also planned for general industrial uses, but was rezoned in the fall of 2004 for residential uses to allow 149 single family attached dwellings at an approximate density of 3.4 dwelling units per acre (ZMAP 2003-007).

The applicant is proposing a Zoning Ordinance Modification (ZMOD) to reduce the building setback requirement along Belmont Ridge Road ((Route 659) and the future East-West Collector (Route 621 Relocated), identified as major collectors in the *Revised Countywide Transportation Plan*, from 75’ to 50’ in order to accommodate the footprint of the proposed public safety center on the proffered 5 acre subject site. The zoning ordinance specifies that no buildings, outdoor storage, areas for collection of refuse and loading areas shall be permitted closer than 75’ to the right-of-way of any major collector road (Revised 1993 Zoning Ordinance, Section 4-505(B)(1)). Parking and internal vehicular circulation areas are proposed between the public safety center and road frontage. A 25’ landscape buffer is proposed along Belmont Ridge Road (Route 659) and a 20’ landscape buffer is proposed along the future East-West

Collector (Route 621 Relocated). To offset the reduced building setbacks the applicant has proposed additional landscaping which exceeds the Type II buffer requirement prescribed by the Zoning Ordinance for the site, in order to mitigate any negative visual impacts on the surrounding roads and adjoining residential development to the north. No drawings or plans of the proposed landscape buffer have been provided. The request for a reduction in the building setbacks requirements appears reasonable given the site constraints, the location of the subject site within a planned Industrial area, and that more than 200' of separation will exist between the public safety center and future residential uses north of the future East-West Collector (Route 621 Relocated).

The Plan recommends that industrial uses provide an adequate degree of protection and sufficient buffering to mitigate any potentially negative impacts on other surrounding land uses (i.e. residential, business, etc.). The 200' of separation in combination with the proposed enhanced landscape buffer proposed by the public safety center could satisfy Plan objectives for screening within industrial areas despite the reduced building setback. Staff recommends additional drawings and/or plans of the proposed landscape buffer be submitted so that the visual impact of the proposed public safety center can be evaluated.

C. EXISTING CONDITIONS

The Green Infrastructure is a collection of natural, cultural, heritage, environmental, protected, passive and active resources that will be integrated in a related system. It includes stream corridors, vegetative landscapes, wildlife and endangered species habitats, and heritage resources (Revised General Plan, Policy 1, p.5-1 & 5-2). Development should take place around these elements, incorporating them into the design of the site (Revised General Plan, text, p. 6-2). Such an approach places a priority on preserving both sensitive environmental and man-made features.

Elements of the countywide Green Infrastructure can be found on the subject site, including a small stream, minor and major floodplain, hydric soils, forest cover, riparian forests and specimen trees. Detailed Plan guidance on the treatment of individual Green Infrastructure elements is outlined in the following sections.

1. River and Stream Corridor Resources

The Plan places a priority on the protection of rivers, streams and wetlands; the retention of natural riparian forests and vegetation; and the preservation, buffering, and implementation of performance standards and best management practices as part of a larger water protection strategy. The Plan also calls for the protection of surface water and groundwater resources from contamination and pollution to prevent the degradation of water quality in the watersheds (Revised General Plan, text, p. 5-12). The County encourages new developments to incorporate low impact development (LID) techniques which integrate hydrologically functional designs that minimize the volume of surface water run-off and reduces pollutants to better protect the integrity of receiving streams" (Revised General Plan, Policy 17, p. 5-18). The use of bio-retention filter areas, landscaped drainage buffers and other LID techniques to dissipate, filter and treat stormwater on site are encouraged by the County.

The subject site contains the minor and major floodplain of an unnamed tributary of Broad Run which flows just outside the western boundary of the subject site. Located in conjunction with the stream corridor and floodplain on the subject site are areas of hydric soils, which can be indicators of surface water saturation, runoff and low infiltration rates (Revised General Plan, text, p. 5-12). The submitted Concept Development Plan (CDP) depicts the boundaries of the minor and major floodplain associated with the stream, but does not include the 50-foot management buffer. The Plan calls for the creation of a 50-foot management buffer surrounding the floodplain to protect the river and stream corridor resources, provide an area of filtration from upland disturbances and protect the water quality of the receiving stream (Revised General Plan Policy 4, p.5-6). Based on the submitted CDP, it appears that parking areas and internal vehicular circulation areas are located within the 50 foot management buffer. Should a reduction in the management buffer be desired, additional information demonstrating that the proposed development will not adversely impact other river and stream corridor resources and that applicable performance standards are met (Revised General Plan Policy 5, p.5-6).

The submitted CDP does not provide any details regarding the protection of the existing river and stream corridor resources on the site or how the proposed stormwater management system will be integrated into the overall design of the site. In general the proposed development will alter the existing land form, impact river and stream corridor resources, change the natural hydrological function of the site, and require the creation of a manmade stormwater management system. Specific site development details pertaining to the protection of existing river and stream corridor resources and the function of the proposed stormwater management system should be provided.

Staff, recommends that the project be designed around and incorporate the existing floodplain into the site and that a detailed stormwater management program be provided. Staff recommends that a 50-foot management buffer be located outside the limits of the floodplain to protect the river and stream corridor resources. Staff recommends that bio-retention filter areas, landscaped drainage buffers and other low impact development techniques be employed adjoining the impervious surfaces on the subject site to dissipate, filter and treat surface water runoff prior to reaching the floodplain and receiving stream.

Further coordination between staff and the applicant are recommended to achieve policy goals regarding the protection of river and stream corridor resources and stormwater management on the site. Additional detailed information regarding the design and function of the proposed stormwater management system is requested. Staff welcomes a meeting with the applicant to discuss these issues.

2. Forests, Trees, and Vegetation

A key element of good environmental design is the integration of existing trees and vegetation into the design of new developments. The County's forests and trees improve air and water quality, offer important habitat for birds, small mammals and

other wildlife, and are excellent buffers between communities. Forests and trees conserve energy by providing shade and evaporative cooling transpiration. They also redirect airflow and reduce wind speed, stormwater runoff, and soil erosion (Revised General Plan, text, p. 5-32).

The Revised General Plan states that the submittal and approval of a forest management or tree conservation plan will be required prior to any land development. This plan will demonstrate a management strategy that ensures the long-term sustainability of any designated tree save areas (Revised General Plan, Policy 3, p. 5-32). A forest management plan was not submitted as part of the application; however a site visit by County staff identified the forested riparian buffer adjoining the stream corridor on the western boundary of the subject site as a suggested tree conservation area. The forested riparian buffer within the floodplain is in an area which is not planned for development as identified on the CDP. Additional tree save areas and individual tree saves could be incorporated into the design of the site.

Staff recommends that as much existing vegetation and trees as possible be incorporated into the design of the site. Staff requests that individual tree save and tree conservation areas (TCAs) be clearly delineated on the proposed CDP. Staff recommends commitment to the long-term maintenance and care of the individual tree save and TCAs.

3. Lighting

The Plan states that the “beauty of the County’s night sky is threatened by excessive and improper lighting” (Revised General Plan, text, p. 5-42). The Lighting and Night Sky policies of the Revised General Plan promote the “use of lighting for convenience and safety without nuisance associated with light pollution (Revised General Plan, Policy 1, p. 5-42). The submitted Statement of Justification and materials do not include any details regarding site lighting for the proposed public safety center, which will be operational 24 hours a day.

Staff recommends the applicant commit to shielding all proposed exterior lights to eliminate glare and light trespass.

4. Noise

The subject site is located within the Ldn 60 area of the airport noise contours of Washington Dulles International Airport and is bordered by Belmont Ridge Road (Route 659) and the future East-West Collector (Route 621 Relocated) which are planned as major collector roads. The County requires a full disclosure statement for all new residential dwellings constructed within the Ldn 60-65 noise contours that will be impacted by aircraft overflights and aircraft noise (Revised General Plan, Policy 6 & 7, p. 5-46). Additionally the County requires that all land development applications that propose development adjacent to any of the existing and/or proposed arterial and major collector roads be designed to ensure that no residential or other type(s) of noise-sensitive use(s) will have traffic noise impacts (Revised General Plan, Policy 1, p. 5-46).

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The proposed public safety center is considered a non-noise sensitive land use, however a bunkroom and crew quarters are proposed for the Fire and Rescue employees. The applicant should commit to providing acoustical treatment in all areas where employees will be residing to ensure that interior noise levels within living spaces do not exceed a sound level of 45 db(A). Additionally the applicant should establish a "quiet zone" in proximity to the proposed public safety facility where police and rescue vehicle sirens are prohibited, to mitigate the possible noise impacts on adjacent residential neighborhoods.

Staff recommends the applicant provide commitments for acoustical treatment in all areas where employees will be residing to ensure that interior noise levels within the living spaces do not exceed a sound level of 45 db(A) based on the subject sites location within the LDN 60 area of the airport noise contours of Washington Dulles International Airport and its proximity to a major collector road.

Staff recommends that a "quiet zone" in proximity to the proposed public safety facility be established where police and rescue vehicle sirens are prohibited, to mitigate the possible noise impacts on adjacent residential neighborhoods.

RECOMMENDATIONS

The applicant is requesting a Zoning Ordinance Modification (ZMOD) to reduce the building setback from 75' to 50' along the road frontage on Belmont Ridge Road (Route 659) and the future East-West Collector (Route 621 Relocated) for the construction of a proposed 23,000 square foot fire-rescue station and law enforcement facility in Brambleton. The request for a reduction in the building setbacks requirements appears reasonable given the site constraints, the location of the subject site within a planned Industrial area designated by the Plan and that more than 200' of separation which will exist between the public safety center and future residential uses north of the future East-West Collector (Route 621 Relocated). However, Community Planning staff is not able to recommend approval of the zoning modification request until such time as the following information and commitments have been provided:

- finalized drawing and or plans of the proposed landscape buffer;
- a 50-foot management buffer outside the limits of the floodplain to protect river and stream corridor resources;
- a detailed stormwater management program that incorporates the existing environmental features and utilizes low impact development techniques;
- identification of individual trees save and tree conservation areas (TCAs) on the Concept Development Plan (CDP);
- a commitment to provide acoustical treatment in all areas where employees will be residing to ensure that interior noise levels within living spaces do not exceed a sound level of 45 db(A); and

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- establishment of a “quiet zone” in proximity to the proposed public safety center, where police and rescue vehicle sirens are prohibited, to mitigate possible noise impacts on adjoining residential neighborhoods.

Staff would be happy to meet with the applicant to discuss any comments.

cc: Julie Pastor, AICP, Director, Planning
Cindy Keegan, AICP, Program Manager, Community Planning

County of Loudoun
Department of Planning
MEMORANDUM

DATE: March 6, 2008

TO: Mike Elabarger, Project Manager,
Land Use Review

FROM: ^{rg}Pat Giglio, Planner
Community Planning

SUBJECT: ZMOD 2006-0010, Brambleton Fire and Rescue Station, 2nd Referral

BACKGROUND

Loudoun County Department of Fire and Rescue Services, the applicant, is requesting a Zoning Ordinance Modification (ZMOD) to encroach into the required building setback along Belmont Ridge Road (Route 659) and the future East-West Collector (Route 621 Relocated) at the site of their proposed 23,000 square foot fire-rescue station and law enforcement facility in Brambleton. The 5 acre, triangular shaped site is located in the southwest quadrant of the intersection of Belmont Ridge Road (Route 659) and the future East-West Collector (Route 621 Relocated). The subject site is zoned PD-IP (Planned Development- Industrial Park) and governed under the provisions of the Loudoun County Revised 1993 Zoning Ordinance. Major and minor floodplain are present on the western boundary of the subject site, the entire site is presently forested.

Staff has reviewed the most recent submittal received February 21, 2008. Staff finds that the submitted materials adequately address and clarify those issues raised in the first referral regarding the provision of adequate buffering and screening, protection of green infrastructure elements on the subject site, specifically the provision of a 50-foot management buffer outside the limits of the floodplain, mitigation of stormwater run-off and preservation and protection of existing trees. In the first referral staff recommended that the applicant incorporate low impact development (LID) techniques on the site to dissipate, filter and treat surface water runoff. The applicant has updated the concept development plan (CDP) and provided bio-retention areas along the perimeter of the proposed parking lot in the rear of the property. Portions of the bio-retention areas will encroach into the 50-foot management buffer, however the introduction of these LID techniques provide a larger volume of containment and higher level of treatment than would be achieved by the existing unimproved 50-foot management, thus mitigating the loss of a portion of the 50-foot management buffer. Staff recommends that the

applicant commit to ensuring the long-term maintenance and care of the proposed bio-retention areas and trees save areas on the subject site. Staff commends the applicant on their proposed used of LID techniques on the site and their plans to seek Leadership in Energy and Environmental Design (LEED) certification for the building and site in the future.

RECOMMENDATION

Staff finds that the application for a Zoning Ordinance Modification (ZMOD) to encroach into the required building setback along Belmont Ridge Road (Route 659) and the future East-West Collector (Route 621 Relocated) is reasonable given the site constraints and the applicant's proposal to provide enhancements to the buffer area. Staff supports the applicants request and recommends approval of the application with conditions. Conditions of approval should include a commitment to the long-term maintenance and care of the proposed bio-retention areas for the management of stormwater on the subject site. Additionally, as much of the existing vegetation and trees as possible on the subject site should be preserved. Condition of approval should include a commitment to the long-term maintenance and care of the tree save areas as designated on the Concept Development Plan (CDP).

Staff would be happy to meet with the applicant to discuss any comments or questions.

cc: Julie Pastor, AICP, Director, Planning
Cindy Keegan, AICP, Program Manager, Community Planning

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

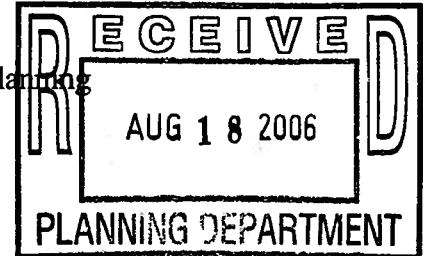
ZONING ADMINISTRATION REFERRAL

DATE: August 18, 2006

TO: Michael S. Elabarger, Project Manager, Department of Planning

THROUGH: Marilee L. Seigfried, Deputy Zoning Administrator

FROM: Amy Lohr, Planner, Zoning Administration *AL*



CASE NUMBER & NAME: ZMOD 2006-0010, Brambleton Fire and Rescue Station

TAX MAP/PARCEL NUMBER (MCPD): Portion of 91/25 (201-29-5424)

Staff has reviewed the referenced **zoning modification (ZMOD)** application to include the materials identified on the transmittal sheet dated June 12, 2006 (attached). The subject property is split-zoned PD-H4 (Planned Development-Housing) and PD-IP (Planned Development-Industrial Park) under the Revised 1993 Loudoun County Zoning Ordinance. The 5.0-acre area planned for the Brambleton Fire and Rescue Station (proposed parcel B-1 on active subdivision waiver application SBWV 2004-0014) is zoned PD-IP.

A. CRITICAL ISSUES

1. **Section 4-507(G), Development Setback and Access from Major Roads. (1) Access.** No individual lot shall have direct access to a major collector road. Access is illustrated to Shreveport Drive and Belmont Ridge Road, both of which are major collector roads. (Belmont Ridge Road will be downgraded to a minor collector when Route 659 Relocated is constructed.) A modification to this section is needed to permit access to Shreveport Drive and Belmont Ridge Road as currently shown on sheet S-1.

B. OTHER ISSUES

1. **Section 6-1504, Modifications.** This application proposes to reduce the required yards adjacent to major collector roads from 75 feet to 50 feet. The statement of justification should specifically address how the proposed modification achieves an innovative design, improves upon the existing regulation, or otherwise exceeds the public purpose of the existing regulation. The justification (p. 2) states that landscaping and screening in excess of the required buffer types will be installed. Staff suggests the applicant commit to the specific width and buffer type to be provided as part of this modification request. Staff questions why a 25-foot buffer is shown adjacent to Belmont Ridge Road and a 20-foot buffer adjacent to Shreveport Drive. As Belmont Ridge Road will be downgraded to a minor collector, a wider buffer is desirable adjacent to Shreveport Drive. Staff can support the reduced yard,

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provided the proposed landscaping/screening treatment enhances the site and mitigates the impact on surrounding uses.

2. **Zoning District.** The 5.0-acre site depicted on the plans (future parcel B-1) is zoned PD-IP not PD-H4. Revise sheets S-1 and S-2 accordingly.
3. **Section 4-505(B), Yards. (1) Adjacent to Roads.** As the site is zoned PD-IP, the section being modified is 4-505(B)(1), which requires a 75-foot yard adjacent to major collector roads for buildings, outdoor storage, areas for collection of refuse and loading areas. Reference this section on sheets S-1 and S-2 under the zoning requirements. Revise the plans to reference "yards" rather than "setbacks." In addition, revise the statement of justification, as it incorrectly references Section 3-710(A).
4. **Section 4-505(B), Yards. (2) Adjacent to Residential Districts.** Adjacent properties to the north and east are zoned PD-H4. Buildings, outdoor storage, areas for collection of refuse and loading areas shall not be within 75 feet of the PD-H4 district. Parking shall not be within 60 feet and shall not be visible from the residential district. Adequate distance appears to be available; however, the applicant will need to demonstrate compliance with all yard requirements at site plan.
5. **Section 4-506, Building Requirements.** The applicant will need to demonstrate compliance with all building requirements at site plan (lot coverage, building height and floor area ratio).
6. **Section 5-1100, Off-Street Parking and Loading Requirements.** Administrative offices for government purposes shall be parked at a rate of four spaces per 1,000 square feet of gross floor area. Other areas shall be parked as determined by the Zoning Administrator. Please demonstrate that adequate parking is provided for the administrative offices as well as the crew quarters and law enforcement area.
7. **Section 5-1400, Buffering and Screening.** Per Section 5-1407, buffer yards shall be located along the perimeter of a lot or parcel except where easements, covenants or natural features may require the buffer yard to be set back from the property line. Due to the floodplain along the western property line, the required buffer may need to be set back from the property line. Staff suggests the paved parking area be moved away from the floodplain to allow for installation of a 20-foot buffer yard.

Condition P.3. of SPEX 1993-0017 states, "The applicant shall provide buffering, landscaping and setbacks in accordance with Section 5-1400 of the 1993 Zoning Ordinance for the fire, police and rescue use, unless otherwise modified by ZMAP 1993-0005 and ZCPA 1993-0007." With regard to peripheral parking lot landscaping, a modification to Section 5-1413(C)(2)(b) was approved with ZMAP 1993-0005/ZCPA 1993-0007 and may be applied to the site.

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8. Staff could not verify the yard and buffer dimensions shown as the provided scale is 1/32" = 1'-0". Staff requests the plans be revised using a standard engineer's scale.
9. Staff questions whether Brambleton Group, LLC has provided the Geotechnical Soils report as required by Proffer III.B. Such information was required by January 3, 2005. Also, Brambleton Group, LLC shall provide utilities in accordance with Proffer III.C., emergency access per Proffer III.D. and conduit and control lines per Proffer III.F.
10. General Conditions of Approval were adopted with SPEX 1993-0017. Development of the site shall comply with the following:
 - I. All special exception uses requested under SPEX 1993-0017 shall meet the requirements of *Section 5-1504* of the 1993 Zoning Ordinance.
 - II. There shall not be any outdoor storage associated with any of the uses requested under SPEX 1993-0017.
 - III. All special exception uses requested under SPEX 1993-0017 shall meet the requirements of *Section 5-1507* of the 1993 Zoning Ordinance.
 - IV. All special exception uses requested under SPEX 1993-0017 shall meet the requirements of the 1993 Zoning Ordinance with regard to location and screening of parking and loading spaces and/or areas, unless otherwise modified by ZMAP 1993-0005 and ZCPA 1993-0007.
 - V. All the uses approved under SPEX 1993-0017, Brambleton, shall have a validity period of twenty (20) years from the approval date (Section 6-1313).
 - VI. There shall not be any unusual features above the roof line of any structure, except steeples, permitted in association with the special exception uses requested under SPEX 1993-0017.
11. Specific Conditions of Approval were adopted with the fire, police and rescue use. Condition P.4. states, "The Zoning Administrator shall approve the detailed site layout, number of employees, and other site specific impacts shall be required prior to or concurrently with site plan approval, to ensure the fire, police and rescue use complies with Sections 6-1310 (G), 6-1310 (L) (as to site specific transportation information such as turning movements, circulation, access, stacking, and the like), 6-1310 (Q), 6-1310 (DD), and 6-1310 (HH). Specific additional requirements for dedication of the site have been proffered." Staff recommends the applicant review these issues with the Zoning Administrator prior to submission of the site plan.

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COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: March 7, 2008

TO: Michael Elabarger, Project Manager, Department of Planning

THROUGH: Marilee L. Seigfried, Deputy Zoning Administrator

FROM: Amy Lohr, Planner, Zoning Administration

CASE NUMBER & NAME: ZMOD 2006-0010, Brambleton Fire and Rescue Station,
2nd Referral

TAX MAP/PARCEL NUMBER (PIN): Portion of 91/25 (201-29-5424)

Staff has reviewed the second submission of the referenced **zoning modification (ZMOD)** application to include the materials identified on the transmittal sheet dated February 22, 2008 (attached). The subject property is split-zoned PD-H4 (Planned Development-Housing) and PD-IP (Planned Development-Industrial Park) under the Revised 1993 Loudoun County Zoning Ordinance. The 5.0-acre area planned for the Brambleton Fire and Rescue Station (proposed parcel B-1 on active subdivision waiver application SBWV 2004-0014) is zoned PD-IP.

A. CRITICAL ISSUES

1. Revise the statement of justification and the plat to correctly reference the sections being modified. Based on January 22, 2008 and March 5, 2008 meetings with the applicant, the Sections being modified are 1) Section 5-900(A)(10)(a) to reduce the building setback from Belmont Ridge Road from 75 feet to 50 feet, and 2) Section 5-900(A)(10)(b) to reduce the parking setbacks from Belmont Ridge and Shreveport Roads from 35 feet to 25 feet. On sheet 1 of the plat, revise the "Zoning Modification Requests" narrative and note 9 in the site/zoning data.
2. On sheet 2 of the plat, delete the 50-foot setback from Shreveport Road and illustrate a 75-foot setback. As noted above, it is staff's understanding that the setback reduction request applies only to Belmont Ridge Road.

B. OTHER ISSUES

1. **Section 6-1504, Modifications.** The statement of justification (p. 3) continues to state that landscaping and screening along Belmont Ridge Road and Shreveport Road will exceed Ordinance requirements and notes an intention to use existing vegetation to enhance buffers at the time of site plan. Staff supports the use of existing mature vegetation, but cannot

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support this statement as sufficient justification for the modifications without a condition of approval outlining clear standards that will be met during the site plan process as discussed with the applicant in our meeting on January 22, 2008. (Prior comment B.1)

2. **Section 4-505(B), Yards. (1) Adjacent to roads.** No parking shall be permitted closer than 25 feet to any right right-of-way. On sheet 2, illustrate and label the 25-foot yard required for parking.
3. **Section 4-1511, Density Calculation.** For the purposes of calculating the permitted floor area of a lot, major floodplain must be excluded from the land area. In note 6 on sheet 1, the maximum allowed square footage is based on the total proposed parcel area of 5.0131 acres. Recalculate the maximum allowed square footage based on the area of the proposed parcel located outside of the major floodplain.
4. **Section 5-900(C), Access from major roads.** New access points (private or public) to arterial or major collector roads shall be limited to locations at existing median breaks, planned median breaks or other locations approved by Loudoun County or VDOT. As both roads are currently classified as major collectors, the proposed and future access points shown on sheet 2 will need to be accepted by VDOT to meet this Section of the Ordinance.
5. **Section 5-1100, Off-Street Parking and Loading Requirements.** The parking calculation on sheet 1 (note 12) does not include any square footage devoted to administrative offices. Staff questions whether this is accurate. Further, in the parking calculation, it is not clear why 30 persons per shift generate the need for 60 spaces. Is this to account for one work vehicle and one personal vehicle for each person per shift? Please clarify note 12 on sheet 1. (Prior comment B.6)
6. **Section 5-1400, Buffering and Screening.** For the north buffer yard adjacent to future Shreveport Drive (i.e. Route 621 Relocated), the required buffer yard is type 3 rather than type 2. Since Shreveport Drive is shown as a median divided roadway on sheet 2, Section 5-1403(E) applies, requiring any property with frontage on an existing or planned four-lane divided roadway to provide a type 3 front yard buffer along the property's frontage. Revise note 11 on sheet 1 and the buffer yard type indicated on sheet 2.
7. Proffer II.B.(10) of ZMAP 1993-0005 requires dedication and construction of a two-lane section of the East/West Collector Road (i.e. Shreveport Drive) concurrent with the development of improvements in Land Bay 3 fronting on this road. Please be advised that submittal of the site plan for development of the fire and rescue station will trigger this proffer.
8. The statement of justification (p. 1) indicates that steep slopes significantly reduce the buildable acreage. Per County Records, steep slopes are not present within the future 5-acre parcel. Revise the statement of justification accordingly.

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9. Review general note 1 on sheet 1. The stated instrument number is not consistent with County Records.
10. General note 3 on sheet 1 appears to pertain to floodplain, yet note 2 references use of Loudoun County floodplain maps. Please clarify or delete note 3.
11. General note 5 on sheet 1 references CMPT 2000-0011 and CMPT 2000-0012, both of which pertain to Red Cedar. Please review this note for accuracy and revise as needed.
12. In regard to note 8 on sheet 1, the property is not in the land use program according to County Records. Please revise or delete this note.
13. In regard to note 17 on sheet 1, section 5-1400 is not being modified in conjunction with this ZMOD application. Please delete the phrase "or as modified with this ZMOD application" from the note.
14. Revise general note 18 on sheet 1 to reference SPEX 1993-0017, not SPEX 1993-0005.
15. Review the owner information on sheet 1. Per County Records, the correct zip code is 20148.
16. Revise note 4 of the site/zoning data on sheet 1 to state that the use is "(allowed by approved ZMAP 1993-0005 and SPEX 1993-0017)."
17. Revise note 7 of the site/zoning data on sheet 1 to be consistent with Section 4-506(B). The maximum height allowed is 45 feet and the distance required when exceeding 45 feet is now one foot for each one foot of height.
18. In note 9 of the site/zoning data on sheet 1, list the yard requirements of Section 4-505(B), the setback requirements of Section 5-900(A)(10) and the requested modifications. Remove the portion of this note regarding additional building height. In addition, delete the 21.5-foot building yard on sheet 2 and illustrate the required 15-foot side yards.

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Brambleton Fire-Rescue Station Zoning Modification



Statement of Justification

April 18, 2006

revised – March 11, 2008

This statement of justification is submitted in support of the request for a Zoning Ordinance Modification to reduce the 75 foot yard required by Section 5-900 (A)(10) (a) of the Loudoun County Ordinance for Belmont Ridge Road. Also, a modification of section 5-900 (A)(10) (b) is being requested to reduce the parking setback for Belmont Ridge Road and Shreveport Road.

In the fall of 2003, Loudoun County voters endorsed bond referenda that included funding for the design and construction of a public safety center to be located in the Brambleton development. This project proposes the construction of a 22,875 square foot public safety center that would provide 24-hour emergency services to the Brambleton development and neighboring communities. The center would be a combined Fire/Rescue station and Sheriff's Office station. The site of the proposed public safety facility is an approximately 5-acre site in the aforementioned area, a developer-proffered parcel further described within ZMAP 1993-0005, ZCPA 1993-0007, SPEX 1993-0017 and the Proffer Statement dated July 28, 1995.

The current requirement as established by the department's service plan for the construction of a public safety facility (fire, rescue and law enforcement) is five buildable acres.

A review of the proffered site using GIS tools revealed that the proposed site provides adequate coverage to the Brambleton community and neighboring development. The property would provide effective interface with current and future road network for efficient response of emergency vehicles.

Although the proffer site is five acres, the required yards and floodplain significantly reduce the buildable acreage. Due to the limited site area staff is

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concerned that construction of a facility that would accommodate the program requirements and parking while ensuring adequate emergency vehicle circulation would not be possible. The Fire and Rescue Staff is of the opinion that a 25 foot reduction of the required yard for Belmont Ridge Road and 10 foot reduction of the required parking setbacks for Belmont Ridge Road and Shreveport Road would allow us to gain additional acreage providing more flexibility to the architects and engineers that would have the difficult task of accommodating the building, parking and adequate circulation of large emergency vehicles within this restricted parcel.

The program specifications for Fire-Rescue are comprised of two key operational areas – apparatus bay area to accommodate vehicle garaging and associated storage; and an area to facilitate crew quarters with administrative space. General space requirements for each component include: crew quarters: dayroom/dining/kitchen area, offices, bunkroom, restrooms/showers, reception area and locker area. The Sheriff's Office area will include office/deputy workrooms, video magistrate office, interview room, processing area and evidence and equipment storage. The building's common areas include an exercise room and a large meeting room that would also serve the community.

The Brambleton Public Safety Building is Loudoun County's first attempt at a LEED Certified building. As such, a geothermal field under the proposed parking lot is being considered in order to optimize future energy performance of the building and greatly reduce operating costs. Also, a cistern or storm water retention pond that will be used to fill Fire & Rescue tanker trucks for onsite training operations, thereby reducing the water needs for the building and reducing the amount of potable water consumed on site. The southwestern portion of the site will be left undisturbed in order to maximize open space and to protect habitats.

Design and engineering of the parcel has begun and it is now in the design/development stage.

Zoning Modifications:

In order to construct the much needed public facility on this parcel, Fire-Rescue respectfully request modification of the sections of the Zoning ordinance as listed below.

- 1) Section 5-900 (A)(10) (a) Access and Setbacks from specific roads
Section 5-900 (A)(10) (b) Parking Setbacks

Certain Roads require that uses be setback a certain amount of distance from them. No building shall be located closer than 75 feet from the right-of-way of any major collector and no parking shall be permitted closer than 35 feet from the right-of-way.

Requested modification: Reduce the required 75 foot yard from Belmont Ridge Road to 50 feet. Reduce the Parking setback from Belmont Ridge Road and Shreveport Road from 35 feet to 25 feet.

Justification – to achieve innovative design: Staff is of the opinion that a 25 foot reduction of the required yard and 10 foot reduction of the parking setback would allow us to gain additional acreage giving more flexibility to the architects and engineers that would have the difficult task of accommodating the building, parking and adequate circulation of large emergency vehicles within this parcel. It is expected that Belmont Ridge Road, currently a major collector, will be downgraded to a minor collector as proposed in the County Transportation Plan. While we have no specific timeframe of the change in road status, the reduction as requested will meet the requirements of the future conditions of the roadway. The parking setback meets the requirement of the Zoning District and a 35 foot parking setback for Belmont Ridge Road would not be necessary after the road status change. The provision of landscaping and screening along Belmont Ridge Road and Shreveport Road in excess of the required buffer types should reduce any negative impact associated with the before mentioned request to the streetscape and proposed neighboring uses.

The Fire and Rescue Planning Staff is of the opinion that the modifications would not negatively affect neighboring uses. Fire and Rescue is firmly committed to "good neighbor" practices through careful planning of this facility and thoughtful conduct of station activities. The requested modifications would achieve innovative design as it would allow staff to adapt a site program that it is usually designed on a parcel with at least five buildable acres and it serves the public purpose by providing timely and effective emergency services to the community.

Summary:

The proposed facilities would allow dedicated and professional career and volunteer fire and rescue workers an adequate facility on this restricted lot to provide fire and rescue protection to the Brambleton community and general vicinity in a timely manner.

The Department of Fire, Rescue and Emergency Management respectfully requests your consideration for approval of the zoning modifications as necessary to construct a safety center station on this property.



Loudoun County, Virginia
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



Response to First Referral Comments
ZMOD 2006-0010
Brambleton – Fire-Rescue Site

02.21.08

Zoning – August 8, 2006

Comment 1 -- Section 4-507(G), Development Setback and Access from Major Roads. (1) Access. No individual lot shall have direct access to a major collector road. Access is illustrated to Shreveport Drive and Belmont Ridge Road, both of which are major collector roads. (Belmont Ridge Road will be downgraded to a minor collector when Route 659 Relocated is constructed.) A modification to this section is needed to permit access to Shreveport Drive and Belmont Ridge Road as currently shown on sheet S-1.

Response – Due to Zoning Ordinance Amendments the request as described above is no longer necessary.

Comment 2 -- Section 6-1504, Modifications. This application proposes to reduce the required yards adjacent to major collector roads from 75 feet to 50 feet. The statement of justification should specifically address how the proposed modification achieves an innovative design, improves upon the existing regulation, or otherwise exceeds the public purpose of the existing regulation. The justification (p. 2) states that landscaping and screening in excess of the required buffer types will be installed. Staff suggests the applicant commit to the specific width and buffer type to be provided as part of this modification request. Staff questions why a 25-foot buffer is shown adjacent to Belmont Ridge Road and a 20-foot buffer adjacent to Shreveport Drive. As Belmont Ridge Road will be downgraded to a minor collector, a wider buffer is desirable adjacent to Shreveport Drive. Staff can support the reduced yard, provided the proposed landscaping/screening treatment enhances the site and mitigates the impact on surrounding uses.

Response – See revised plat. Due to Zoning Ordinance Amendments Staff is now pursuing a modification of Section 5-900 (10) (a) and (b). Existing vegetation is being evaluated to determine plantings that could be saved to enhance the required buffers before adding any new plantings. Since the final engineering of the site has not been completed, Staff respectfully requests that this matter be re-visited during site plan stage when a final

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landscaping plan will be submitted.

Comment 3 -- Zoning District. The 5.0-acre site depicted on the plans (future parcel B-1) is zoned PD-IP not PD-H4. Revise sheets S-1 and S-2 accordingly.

Response -- The plat has been revised to reflect zoning comments above.

Comment 4 -- Section 4-505(B), Yards. (1) Adjacent to Roads. As the site is zoned PD-IP, the section being modified is 4-505(B)(1), which requires a 75-foot yard adjacent to major collector roads for buildings, outdoor storage, areas for collection of refuse and loading areas. Reference this section on sheets S-1 and S-2 under the zoning requirements. Revise the plans to reference "yards" rather than "setbacks." In addition, revise the statement of justification, as it incorrectly references Section 3-710(A).

Response -- The plat and statement of justification have been revised to reflect zoning comments above and Zoning Ordinance Amendments.

Comment 5 -- Section 4-505(B), Yards. (2) Adjacent to Residential Districts. Adjacent properties to the north and east are zoned PD-H4. Buildings, outdoor storage, areas for collection of refuse and loading areas shall not be within 75 feet of the PD-H4 district. Parking shall not be within 60 feet and shall not be visible from the residential district. Adequate distance appears to be available; however, the applicant will need to demonstrate compliance with all yard requirements at site plan.

Response -- Comment acknowledged.

Comment 6 -- Section 4-506, Building Requirements. The applicant will need to demonstrate compliance with all building requirements at site plan (lot coverage, building height and floor area ratio).

Response -- Comment acknowledged

Comment 7 -- Section 5-1100, Off-Street Parking and Loading Requirements. Administrative offices for government purposes shall be parked at a rate of four spaces per 1,000 square feet of gross floor area. Other areas shall be parked as determined by the Zoning Administrator. Please demonstrate that adequate parking is provided for the administrative offices as well as the crew quarters and law enforcement area.

Response -- See the revised plat for parking tabulations, buffer requirements and GFA as requested above.

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Comment 8 -- Section 5-1400, Buffering and Screening. Per Section 5-1407, buffer yards shall be located along the perimeter of a lot or parcel except where easements, covenants or natural features may require the buffer yard to be set back from the property line. Due to the floodplain along the western property line, the required buffer may need to be set back from the property line. Staff suggests the paved parking area be moved away from the floodplain to allow for installation of a 20-foot buffer yard.

Response -- See revised plat.

Comment 9 -- Condition P.3. of SPEX 1993-0017 states, "The applicant shall provide buffering, landscaping and setbacks in accordance with Section 5-1400 of the 1993 Zoning Ordinance for the fire, police and rescue use, unless otherwise modified by ZMAP 1993-0005 and ZCPA 1993-0007." With regard to peripheral parking lot landscaping, a modification to Section 5-1413(C) (2) (b) was approved with ZMAP 1993-0005/ZCPA 1993-0007 and may be applied to the site.

Response -- See revised plat.

Comment 10 -- Staff could not verify the yard and buffer dimensions shown as the provided scale is $1/32" = 1'-0"$. Staff requests the plans be revised using a standard engineer's scale.

Response -- See revised plat.

Comment 11 -- Staff questions whether Brambleton Group, LLC has provided the Geotechnical Soils report as required by Proffer III.B. Such information was required by January 3, 2005. Also, Brambleton Group, LLC shall provide utilities in accordance with Proffer III.C., emergency access per Proffer III.D. and conduit and control lines per Proffer III.F.

Response -- A copy of the geotechnical is attached for your reference.

Comment 12 -- General conditions of approval were adopted with SPEX 1993-0017 and development of this site shall comply with said conditions.

Response -- Comment acknowledged. See general notes on plat cover sheet.

Comment 12 -- Specific Conditions of Approval were adopted with the fire, police and rescue use. Condition P.4. states, "The Zoning Administrator shall approve the detailed site layout, number of employees, and other site specific impacts shall be required prior to or concurrently with site plan approval, to

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ensure the fire, police and rescue use complies with Sections 6-13 10 (G), 6-1310 (L) (as to site specific transportation information such as turning movements, circulation, access, stacking, and the like), 6-1310 (Q) (Q), 6-1310 (DD), and 6-1310 (HH). Specific additional requirements for dedication of the site have been proffered." Staff recommends the applicant review these issues with the zoning administrator prior to the submission of the site plan.

Response – Comment acknowledged.

Community Planning – August 14, 2006

Comment 1 -- The Plan recommends that industrial uses provide an adequate degree of protection and sufficient buffering to mitigate any potentially negative impacts on other surrounding land uses (i.e. residential, business, etc.). The 200' of separation in combination with the proposed enhanced landscape buffer proposed by the public safety center could satisfy Plan objectives for screening within industrial areas despite the reduced building setback. Staff recommends additional drawings and/or plans of the proposed landscape buffer be submitted so that the visual impact of the proposed public safety center can be evaluated.

Response – See revised plat.

Comment 2 -- Based on the submitted CDP, it appears that parking areas and internal vehicular circulation areas are located within the 50 foot management buffer. Should a reduction in the management buffer be desired, additional information demonstrating that the proposed development will not adversely impact other river and stream corridor resources and that applicable performance standards are met (Revised General Plan Policy 5, p.5-6).

Response -- Due to the small size of the existing parcel and site requirements created by the function of the building the applicant is unable to maintain the full 50-foot management buffer outside the limits of the floodplain on the subject site as called for by the Revised General Plan. However, in order to mitigate potential impacts on the river and stream corridor resources the applicant has designed and engineered a combination of infiltration, dissipation, and/or storage measures, some of which may be located within portions of the 50-foot management buffer. When compared to conventional stormwater measures, these low impact development techniques will contain, dissipate, and filter a larger volume of surface water run-off as well as provide a higher level of treatment than would have been achievable by the existing/unmodified 50-foot management buffer. The applicant believes that these low impact development techniques, while partially located within a portion of the 50-foot management, achieve a superior conservation design on the subject

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site and ensure very limited impacts on the river and stream corridor resources.

Comment 3 -- The submitted CDP does not provide any details regarding the protection of the existing river and stream corridor resources on the site or how the proposed stormwater management system will be integrated into the overall design of the site. In general the proposed development will alter the existing land form, impact river and stream corridor resources, change the natural hydrological function of the site, and require the creation of a manmade stormwater management system. Specific site development details pertaining to the protection of existing river and stream corridor resources and the function of the proposed stormwater management system should be provided.

Response -- See response above.

Comment 4 -- Staff, recommends that the project be designed around and incorporate the existing floodplain into the site and that a detailed stormwater management program be provided. Staff recommends that a 50-foot management buffer be located outside the limits of the floodplain to protect the river and stream corridor resources. Staff recommends that bio-retention filter areas, landscaped drainage buffers and other low impact development techniques be employed adjoining the impervious surfaces on the subject site to dissipate, filter and treat surface water runoff prior to reaching the floodplain and receiving stream.

Response -- See response above.

Comment 5 -- Staff recommends that as much existing vegetation and trees as possible be incorporated into the design of the site. Staff requests that individual tree save and tree conservation areas (TCAs) be clearly delineated on the proposed CDP. Staff recommends commitment to the long-term maintenance and care of the individual tree save and TCAs.

Response -- Staff respectfully requests that we revisit this matter at site plan after we have an opportunity to incorporate the recommendations into the design of the facility.

Comment 6 -- The submitted Statement of Justification and materials do not include any details regarding site lighting for the proposed public safety center, which will be operational 24 hours a day. Staff recommends the applicant commit to shielding all proposed exterior lights to eliminate glare and light trespass.

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Response -- Comment Acknowledged.

Comment 7 -- The applicant should commit to providing acoustical treatment in all areas where employees will be residing to ensure that interior noise levels within living spaces do not exceed a sound level of 45 db (A).

Response -- Comment Acknowledged.

Comment 8 -- Staff recommends that a "quiet zone" in proximity to the proposed public safety facility be established where police and rescue vehicle sirens are prohibited, to mitigate the possible noise impacts on adjacent residential neighborhoods.

Response -- Comment Acknowledged. Fire and Rescue is firmly committed to "good neighbor" practices through careful planning of our facilities and thoughtful conduct of station activities.



Loudoun County, Virginia
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



Response to Second Referral Comments
ZMOD 2006-0010
Brambleton – Fire-Rescue Site

03-11-08

Zoning – March 7, 2008

Comment 1 -- Revise the statement of justification and the plat to correctly reference the sections being modified. Based on January 22, 2008 and March 5, 2008 meetings with the applicant, the Sections being modified are 1) Section 5-900(A)(10)(a) to reduce the building setback from Belmont Ridge Road from 75 feet to 50 feet, and 2) Section 5-900(A)(10)(b) to reduce the parking setbacks from Belmont Ridge and Shreveport Roads from 35 feet to 25 feet. On sheet 1 of the plat, revise the "Zoning Modification Requests" narrative and note 9 in the site/zoning data.

Response – The Plat and statement of justification have been revised per Zoning comments above.

Comment 2 -- On sheet 2 of the plat, delete the 50-foot setback from Shreveport Road and illustrate a 75-foot setback. As noted above, it is staff's understanding that the setback reduction request applies only to Belmont Ridge Road

Response – The plat has been revised to reflect zoning comments above.

Comment 3 -- Section 6-1504, Modifications. The statement of justification (p. 3) continues to state that landscaping and screening along Belmont Ridge Road and Shreveport Road will exceed Ordinance requirements and notes an intention to use existing vegetation to enhance buffers at the time of site plan. Staff supports the use of existing mature vegetation, but cannot support this statement as sufficient justification for the modifications without a condition of approval outlining clear standards that will be met during the site plan process as discussed with the applicant in our meeting on January 22, 2008. (Prior comment B.1)

Response – Staff is comfortable with a condition of approval that would outline a clear process to follow at site plan. At that time all the site engineering will be complete and staff will have an inventory of existing vegetation that would remain and can submit a proposal with specific details of additional planting for staff's approval to ensure the site is more



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than adequately screened.

Comment 4 -- Section 4-505(B), Yards. (1) Adjacent to roads. No parking shall be permitted closer than 25 feet to any right right-of-way. On sheet 2, illustrate and label the 25-foot yard required for parking.

Response -- The plat has been revised to reflect zoning comments above.

Comment 5 -- Section 4-1511, Density Calculation. For the purposes of calculating the permitted floor area of a lot, major floodplain must be excluded from the land area. In note 6 on sheet 1, the maximum allowed square footage is based on the total proposed parcel area of 5.0131 acres. Recalculate the maximum allowed square footage based on the area of the proposed parcel located outside of the major floodplain.

Response -- The plat has been revised to reflect zoning comments above.

Comment 6 -- Section 5-900(C), Access from major roads. New access points (private or public) to arterial or major collector roads shall be limited to locations at existing median breaks, planned median breaks or other locations approved by Loudoun County or VDOT. As both roads are currently classified as major collectors, the proposed and future access points shown on sheet 2 will need to be accepted by VDOT to meet this Section of the Ordinance.

Response -- Comment acknowledged.

Comment 7 -- Section 5-1100, Off-Street Parking and Loading Requirements. The parking calculation on sheet 1 (note 12) does not include any square footage devoted to administrative offices. Staff questions whether this is accurate. Further, in the parking calculation, it is not clear why 30 persons per shift generate the need for 60 spaces. Is this to account for one work vehicle and one personal vehicle for each person per shift? Please clarify note 12 on sheet 1. (Prior comment B.6)

Response -- The plat has been revised to reflect zoning comments above.

Comment 8 -- Section 5-1400, Buffering and Screening. For the north buffer yard adjacent to future Shreveport Drive (i.e. Route 621 Relocated), the required buffer yard is type 3 rather than type 2. Since Shreveport Drive is shown as a median divided roadway on sheet 2, Section 5-1403(E) applies, requiring any property with frontage on an existing or planned four-lane divided roadway to

provide a type 3 front yard buffer along the property's frontage. Revise note 11 on sheet 1 and the buffer yard type indicated on sheet 2.

Response -- The plat has been revised to reflect zoning comments above.

Comment 9 -- Proffer II.B.(10) of ZMAP 1993-0005 requires dedication and construction of a two-lane section of the East/West Collector Road (i.e. Shreveport Drive) concurrent with the development of improvements in Land Bay 3 fronting on this road. Please be advised that submittal of the site plan for development of the fire and rescue station will trigger this proffer.

Response -- Comment acknowledged.

Comment 10 -- The statement of justification (p. 1) indicates that steep slopes significantly reduce the buildable acreage. Per County Records, steep slopes are not present within the future 5-acre parcel. Revise the statement of justification accordingly.

Response -- The statement of justification has been revised to reflect zoning comments above..

Comment 11 -- Review general note 1 on sheet 1. The stated instrument number is not consistent with County Records.

Response -- The plat has been revised to reflect zoning comments above.

Comment 12 -- General note 3 on sheet 1 appears to pertain to floodplain, yet note 2 references use of Loudoun County floodplain maps. Please clarify or delete note 3.

Response -- The plat has been revised to reflect zoning comments above.

Comment 13 -- General note 5 on sheet 1 references CMPT 2000-0011 and CMPT 2000-0012, both of which pertain to Red Cedar. Please review this note for accuracy and revise as needed.

Response -- The plat has been revised to reflect zoning comments above.

Comment 14 -- In regard to note 8 on sheet 1, the property is not in the land use program according to County Records. Please revise or delete this note.

Response -- The plat has been revised to reflect zoning comments

above.

Comment 14 -- In regard to note 17 on sheet 1, section 5-1400 is not being modified in conjunction with this ZMOD application. Please delete the phrase "or as modified with this ZMOD application" from the note.

Response -- The plat has been revised to reflect zoning comments above.

Comment 15 -- Revise general note 18 on sheet 1 to reference SPEX 1993-0017, not SPEX 1993-0005

Response -- The plat has been revised to reflect zoning comments above.

Comment 16 -- Review the owner information on sheet 1. Per County Records, the correct zip code is 20148.

Response -- The plat has been revised to reflect zoning comments above.

Comment 17 -- Revise note 4 of the site/zoning data on sheet 1 to state that the use is "(allowed by approved ZMAP 1993-0005 and SPEX 1993-0017)."

Response -- The plat has been revised to reflect zoning comments above.

Comment 18 -- Revise note 7 of the site/zoning data on sheet 1 to be consistent with Section 4-506(B). The maximum height allowed is 45 feet and the distance required when exceeding 45 feet is now one foot for each one foot of height.

Response -- The plat has been revised to reflect zoning comments above.

Comment 19 -- In note 9 of the site/zoning data on sheet 1, list the yard requirements of Section 4-505(B), the setback requirements of Section 5-900(A)(10) and the requested modifications. Remove the portion of this note regarding additional building height. In addition, delete the 21.5-foot building yard on sheet 2 and illustrate the required 15-foot side yards.

Response -- The plat has been revised to reflect zoning comments above.



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Community Planning – March 6, 2008

Comment 1 -- Staff has reviewed the most recent submittal received February 21, 2008. Staff finds that the submitted materials adequately address and clarify those issues raised in the first referral regarding the provision of adequate buffering and screening, protection of green infrastructure elements on the subject site, specifically the provision of a 50-foot management buffer outside the limits of the floodplain, mitigation of stormwater run-off and preservation and protection of existing trees. In the first referral staff recommended that the applicant incorporate low impact development (LID) techniques on the site to dissipate, filter and treat surface water runoff. The applicant has updated the concept development plan (CDP) and provided bio-retention areas along the perimeter of the proposed parking lot in the rear of the property. Portions of the bio-retention areas will encroach into the 50-foot management buffer, however the introduction of these LID techniques provide a larger volume of containment and higher level of treatment than would be achieved by the existing unimproved 50-foot management, thus mitigating the loss of a portion of the 50-foot management buffer. Staff recommends that the applicant commit to ensuring the long-term maintenance and care of the proposed bio-retention areas and trees save areas on the subject site. Staff commends the applicant on their proposed used of LID techniques on the site and their plans to seek Leadership in Energy and Environmental Design (LEED) certification for the building and site in the future.

Response – Comment Acknowledged.

APPLICATION NUMBER: ZMOD-2006-0010I, Stephen T. Schulte, do hereby state that I am anX applicant

_____ applicant's authorized agent listed in Section B.1. below

in application Number(s): ZMOD-2006-0010 and that to the best of my knowledge and belief, the following information is true:**B. MANDATORY DISCLOSURES****1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST**

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the foregoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (listed in bold , above)
158-26-5888	Brambleton Group L.L.C., a Michigan limited liability company - William R. Fox - Stephen T. Schulte - Kimberly J. Adams - Michael N. Hughes	3400 E. Lafayette Detroit, MI 48207	Applicant/Owner

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

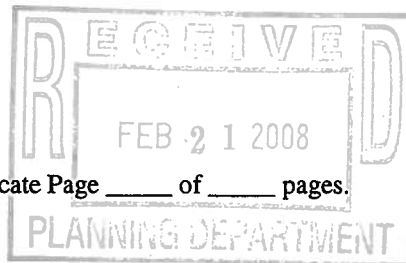
** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

X Real Parties of Interest information is continued on an additional copy of page B-1

If multiple copies of this page are provided please indicate Page _____ of _____ pages.

Revised May 10, 2007



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APPLICATION NUMBER: ZMOD-2006-0010I, Stephen T. Schulte, do hereby state that I am anX applicant applicant's authorized agent listed in Section B.1. belowin application Number(s): ZMOD-2006-0010

and that to the best of my knowledge and belief, the following information is true:

B. MANDATORY DISCLOSURES**1. NAMES AND ADDRESSES OF REAL PARTIES IN INTEREST**

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the foregoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application. Multiple relationships may be listed together. For multiple parcels, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (listed in bold , above)
	Urban Ltd. - David T. McElhaney - Brian A. Sears	7712 Little River Turnpike Annandale, VA 22003	Agent

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

 Real Parties of Interest information is continued on an additional copy of page B-1

APPLICATION NUMBER: ZMOD-2006-0010**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Brambleton Group L.L.C., a Michigan limited liability company, 3400 E. Lafayette Detroit, MI 48207

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Trident-Brambleton L.L.C., a Michigan limited liability company	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Trident-Brambleton L.L.C., a Michigan limited liability company	Manager

Check if applicable:

X Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page ____ of ____ pages.

APPLICATION NUMBER: ZMOD-2006-0010**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Trident-Brambleton L.L.C., a Michigan limited liability, 3400 E. Lafayette Detroit, MI 48207

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Trident Properties, Inc., a Michigan corporation	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
N/A	

Check if applicable:

X Additional shareholder information is continued on an additional copy of page B-2

If multiple copies of this page are provided please indicate Page ____ of ____ pages.

Revised May 10, 2007

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APPLICATION NUMBER: ZMOD-2006-0010**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Trident Properties, Inc., a Michigan corporation, 3400 E. Lafayette Detroit, MI 48207

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Anthony L. Soave	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Michael D. Hollerbach	President
Michael L. Piesko	Exec. Vice President
David A. Brown	Vice President
Daniel N. Roma	Vice President
Edward R. Schonberg	Vice President
Bryant M. Frank	Secretary
Richard T. Brockhaus	Treasurer

Check if applicable:

X Additional shareholder information is continued on an additional copy of page B-2

APPLICATION NUMBER: ZMOD-2006-0010**2. NAMES OF CORPORATION SHAREHOLDERS**

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 1% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation (complete name, street address, city, state, zip)

Urban, Ltd., 7712 Little River Turnpike, Annandale, VA 22003

Description of Corporation:

X *There are 100 or fewer shareholders and all shareholders are listed below.*

 There are more than 100 shareholders, and all shareholders owning 1% or more of any class of stock issued by said corporation are listed below.

 There are more than 100 shareholders but no shareholder owns 1% or more of any class of stock issued by said corporation, and no shareholders are listed below.

 There are more than 500 shareholders and stock is traded on a national or local stock exchange.

Names of shareholders (first name, middle initial and last name)

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
J. Edgar Sears, Jr.	
Brian A. Sears	
Barry B. Smith	

Names of Officers and Directors (first name, middle initial and last name & title, e.g. President, Secretary, Treasurer, etc.)

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
J. Edgar Sears, Jr.	President, Treasurer
Barry B. Smith	Vice President, Secretary

Check if applicable:

 Additional shareholder information is continued on an additional copy of *page B-2*

If multiple copies of this page are provided please indicate Page of pages.

APPLICATION NUMBER: ZMOD-2006-0010**C. VOLUNTARY DISCLOSURE**

1. That no member of the Loudoun County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

2. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household and family, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 1% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of \$100 or more, singularly or in the aggregate with any of those listed in Section B, above.

EXCEPT AS FOLLOWS: (If none, so state).

3. The following constitutes a listing of names and addresses of all real parties in interest in the real estate which is the subject of this application, including the names and addresses of all persons who hold a beneficial interest in the subject property, who have, within five years of the application date, contributed, by gift or donation, more than one hundred dollars to any current member of the Board of Supervisors:

NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)

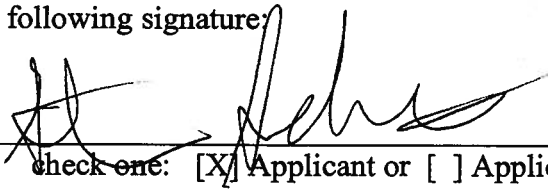
___ Additional County-Official information for Item C is included on an additional page C-1.

If multiple copies of this page are provided please indicate Page ___ of ___ pages.


APPLICATION NUMBER: STPL-2007-0063**D.**

That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 1% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Section C. above, that arise on or after the date of this application.

WITNESS the following signature:

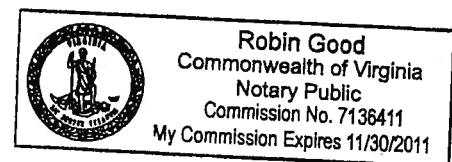
check one: ☒ Applicant or ☐ Applicant's Authorized AgentSTEVEN SCHULTE
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 30th day of JANUARY, 2008, in the State/Commonwealth of VIRGINIA, in the County/City of LOUDOUN.



Notary Public

My Commission Expires: 11-30-11
My Commission Number: 7136411



REAFFIRMATION PROCEDURE FOR AFFIDAVITS

A. Before the Planning Commission Hearing

1. On or before the close of business **twenty-two (22) business days prior to the public hearing** before the Planning Commission, the applicant or the applicant's authorized agent, which agent must be listed in Section B of the applicant's affidavit, *shall* either:
 - a. Reaffirm the approved affidavit for the application by submitting the reaffirmation of the approved affidavit to the Project Manager on an approved REAFFIRMATION OF AFFIDAVIT form provided by the County (Attachment I); or
 - b. Submit a new affidavit on an approved affidavit form provided by the County to the Project Manager in the Planning Department. A REAFFIRMATION OF AFFIDAVIT form provided by the County *shall* be attached to the new affidavit, identifying the paragraphs where such revisions or supplemental information are provided on the new affidavit.
2. If, subsequent to the timely submission of the reaffirmation form or new affidavit, the applicant's affidavit must be revised or supplemented prior to the scheduled Planning Commission hearing, a new affidavit on an approved affidavit form must be submitted to the Project Manager on or before the close of business **seven (7) business days prior to the scheduled Planning Commission hearing**. Failure to submit the revised affidavit on or before the close of business seven (7) business days prior to the scheduled Planning Commission hearing is cause for removal of the application from the Planning Commission schedule to the next available Planning Commission hearing date. Such deferral may adversely affect any scheduled hearing before the Board of Supervisors hearing. If such deferral is necessary, the applicant shall be responsible for any required renotification of applicable property owners.
3. Compliance with the seven-day filing deadline for revised affidavit is mandatory for all applicants required to submit affidavits. This requirement may be waived by a vote of the Planning Commission at the scheduled hearing only if there are legitimate reasons for submitting the revised affidavit to the Project Manager after the required seven-day deadline.
4. At each and every hearing on the application before the Planning Commission, the applicant or the applicant's authorized agent, who must be listed in Section B of the applicant's affidavit, shall be required to make an oral statement that the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.
5. If the applicant's hearing before the Planning Commission is deferred to a date that is more than eight (8) weeks subsequent to the scheduled hearing date, the reaffirmation procedure describe in Paragraph A-1 above shall be followed again.

B. Before the Board of Supervisors Hearing

1. If prior to the public hearing before the Board of Supervisors, the applicant's approved affidavit which was reaffirmed at the hearing before the Planning Commission must be changed, deleted or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Project Manager before the close of business at least **seven (7) business days prior to the scheduled hearing date**. Failure to submit a new affidavit by the deadline will result in the removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

Note: The failure to timely update the disclosure of financial relationships in an affidavit to accurately reflect the disclosure of financial relationships within the 12 months immediately preceding the Board's hearing may result in omissions or an incorrect, over inclusive, affidavit and will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives the seven-day deadline on its own motion.

2. Except in instances when a new affidavit is submitted in accordance with Paragraph B-1 and such submission is made less than 14 days immediately preceding any hearing before the Board of Supervisors, the applicant shall submit to the Project Manager a new Reaffirmation of Affidavit form before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the scheduled hearing date**. Failure to submit a new affidavit or a reaffirmation affidavit by these deadlines will result in removal of the application from the scheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.
3. If at the Board's hearing or at a point less than seven (7) business days prior to the Board's hearing, any changes are required or made to a new affidavit or to the reaffirmation affidavit, thereby resulting in the hearing being rescheduled, then the applicant shall submit to the Project Manager a new affidavit on an affidavit form provided by the County before the close of business at least **seven (7) but no more than fourteen (14) business days prior to the rescheduled hearing date**. Failure to submit the new affidavit by these deadlines will result in removal of the application from the rescheduled public hearing before the Board of Supervisors, unless the Board waives these deadlines on its own motion.
4. At each and every hearing on the application before the Board of Supervisors, the applicant or the applicant's authorized agent, described in Paragraph A-1 above, shall be required to make an oral statement the reaffirmed affidavit or the new affidavit is correct and accurate as of the date of the hearing.

C. Before the Board of Zoning Appeals Hearing

1. If prior to the public hearing before the Board of Zoning Appeals, the applicant's approved affidavit must be changed, deleted, or supplemented in any way, a new affidavit on an affidavit form provided by the County must be submitted to the Project Manager on or before the close of business **twenty-two (22) business days prior to the scheduled hearing date**.
2. At each and every hearing on the application before the Board of Zoning Appeals, the applicant or the applicant's authorized agent, described in Paragraph A-1 above, shall be required to make an oral statement that the approved affidavit or the new affidavit is correct and accurate as of the date of the hearing.

Important! The adopted Affidavit and Reaffirmation of Affidavit forms shall not be altered or modified in any way. Any form that is altered or modified in any way will not be accepted.

REAFFIRMATION OF AFFIDAVIT

In reference to the Affidavit dated 1-23-08 for the application of
(enter date of affidavit)

(enter name(s) of applicant(s))

in Application Number(s):

I, STEVEN SCHULTE (enter application number(s))
do hereby state that I am an

(check one) ☒ applicant (must be listed in Paragraph B of the above-described affidavit)
☐ applicant's authorized agent (must be listed in Paragraph B of the above-described affidavit)

and that to the best of my knowledge and belief, the following information is true:

(check one) ☒ I have reviewed the above-described affidavit, and the information contained therein is true and complete as of 1-30-08

(enter today's date)

☐ I have reviewed the above-described affidavit, and I am submitting a new affidavit which includes changes, deletions or supplemental information to those paragraphs of the above-described affidavit indicated below:

(Check if applicable)

☐ Paragraph B-1
☐ Paragraph B-2
☐ Paragraph B-3

☐ Paragraph C-1
☐ Paragraph C-2
☐ Paragraph C-3

WITNESS the following signature:

(check one)

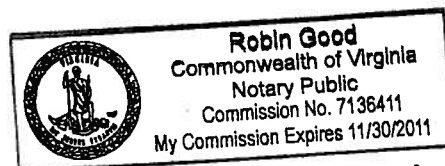
☒ applicant ☐ applicant's authorized agent

STEVEN SCHULTE
(Type or print first name, middle initial, last name and title of signee)

Subscribed and sworn to before me this 30th day of JANUARY, 2008
in the State/Commonwealth of VIRGINIA, County/City of LOUPOUN.

My Commission expires: 11-30-11

Notary Public



A-40

IV. SPECIAL EXCEPTION CONDITIONS OF APPROVAL (04/03/08)

1. Substantial Conformance. The zoning modifications – to reduce the building setback requirement along Belmont Ridge Road from 75' to 50' and to reduce the parking setback from 35' to 25' along Belmont Ridge Road (Route 659) and the future Shreveport Drive (Route 621 Relocated) - and associated site development shall substantially conform to Sheet 2 of 3, the Existing Conditions Plat and Concept Plan, prepared by Stantec Consulting Inc., dated November 2007 and revised March 10, 2008; and the Revised 1993 Loudoun County Zoning Ordinance. Approval of this application does not relieve the Applicant of any Zoning Ordinance, Codified Ordinance, or any other requirement.
2. Lighting – Any ground/surface lighting shall be shielded to direct light downward and will be fully cut-off to ensure that off-site glare will be at a minimum.
3. Buffers – The applicant shall both utilize existing mature vegetation where possible and provide additional plantings of evergreens at the rate of four (4) per 100' linear feet to exceed the Ordinance requirements for buffering along Belmont Ridge Road and Shreveport Drive.
4. Bio-retention Maintenance – The applicant shall conduct yearly maintenance and care of the proposed bio-retention areas as designated on the Concept Development Plan (CDP).
5. Tree Save Areas and Maintenance – The applicant shall identify tree save areas on the Special Exception plat and conduct bi-yearly maintenance and care of these areas.
6. Acoustical Treatments – The applicant shall provide acoustical treatment in all areas where employees will be residing to ensure that interior noise levels within living spaces do not exceed a sound level of 45 db (A).
7. Prior Conditions - All Conditions of Approval adopted with SPEX 1993-0017 shall remain in full force and effect.